

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	18 April 2002
Name of applicant/court:	The Film and Video Labelling Body Inc.
Applicant to the Labelling Body:	Vixen Direct Ltd
Title of Publication:	Day Dreams
Other Known Titles:	Pirate Vol. 2 Untitled: Comprised Of Day Dreams/Haunted Chateaux/Chateaux Of The Loire
Director:	Frank Thring
Producer:	Not Stated
Publisher:	Not Applicable
Author:	Not Applicable
Format:	DVD
Country of Origin:	France
Language:	English

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Components of film originally examined:

Menu:	Language Selection Subtitle Selection Extra Materials Play Movie		
Feature:	Day Dreams	Running time:	60.51
Other Moving Components:	FraserSide Holdings Copyright Notice DVD X Notice Records/Age of Participants Notice Güfa Copyright Notice Private Website Notice The Trailer (Day Dreams) Pirate In Paris Heaven On Earth Sex Forever Fetish Obsession Matador Nr. 5 Triple XXX Files Nr 2	Running time:	0.04 0.06 0.10 2.27 2.00 0.41 8.11 1.52 1.47 1.07 1.23 1.43
Other Components:	The Cast Photobook Production Notes		
		Total Running time:	82.22

Excision/Alteration: No Excisions Recommended.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The DVD *Day Dreams* is classified as:
Objectionable.

The DVD contains a feature previously examined and classified in video format by the Office of Film and Literature Classification. The untitled video recording comprised of the components *Day Dreams*, *Haunted Chateaux* and *Chateaux Of The Loire*, also known as *Pirate Vol. 2*, was classified as "Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years", with the descriptive note "Contains explicit sex scenes". This decision was registered on 15 January 1999.

The DVD has additional components, including a trailer entitled *Matador Nr. 5*, which contains sexual conduct and depictions of an extremely degrading and dehumanising nature, and which degrades and dehumanises women participants, and women more generally, to a high degree. The presentation of such material, in the context of a publication intended for sexual arousal, is likely to encourage the formation or reinforcement of negative attitudes towards women and may lead to the expression of these attitudes in inappropriate or harmful behaviours in a sexual context.

These considerations have been weighed against the right to freedom of expression set out in s14 of the New Zealand Bill of Rights Act 1993. If the trailer in question was excised, a restriction to an adult audience would be sufficient to prevent injury to the public good. However, the Classification Office has been advised that distributors are unable to excise portions of DVDs in New Zealand. It is therefore not possible to offer an excision. Because of the likelihood of injury to the public good arising from the availability of the publication in its present form, the Classification Office is of the view that the classification decision is demonstrably justified in a free and democratic society.

OFLC Ref: 200338